WESTMOUNT HEALTH FACILITY (AN ENTERPRISE FUND OF THE COUNTY OF WARREN, NEW YORK)

FINANCIAL REPORT

DECEMBER 31, 2010

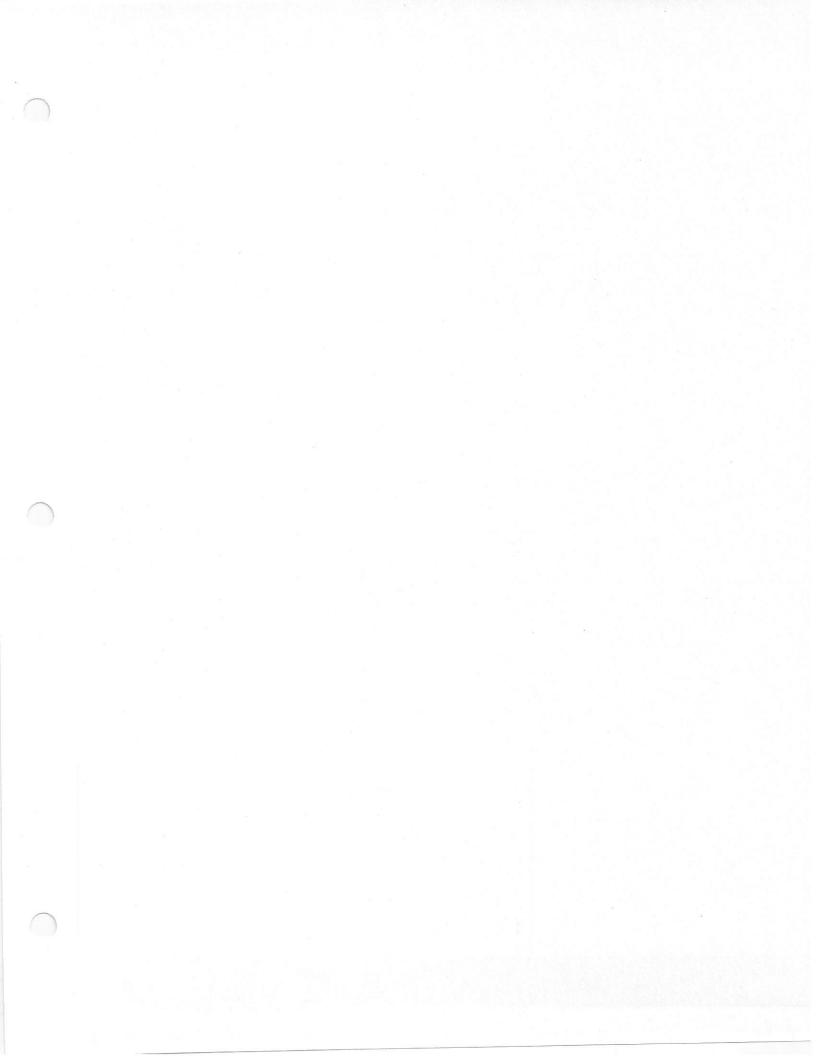


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McCarthy & Conlon, LLP Certified Public Accountants

Independent Auditor's Report

To the Chairman and Members of the Board of Supervisors of the County of Warren, New York

We have audited the accompanying balance sheets of Westmount Health Facility (the "Facility"), an enterprise fund of the County of Warren, New York, as of December 31, 2010 and 2009, and the related statements of revenues and expenses and fund equity, and cash flows for the years then ended. These financial statements are the responsibility of the Facility's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Westmount Health Facility as of December 31, 2010 and 2009, and the results of its operations and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Our audits were conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The supplementary information is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Mc Cardhy + Corlox, LLP Glens Falls, New York

April 12, 2011

Balance Sheets December 31, 2010 and 2009

		2010		2009
<u>Assets</u>				
Current assets:	¢	163,267	\$	2,048,071
Cash	\$		Ψ	33,223
Restricted cash - patient funds		18,023		6,397
Assets limited as to use		55,697		491,103
Patient accounts receivable, net		519,952		571,801
Due from third party payors		580,926		
Supplies		35,431		30,963
Due from County, current		55,110		28,463
Prepaid expenses		92,056		58,850
Total current assets		1,520,462		3,268,871
Due from County, long term		107,456		117,805
Property, plant, and equipment, net		3,361,055	-	3,680,073
Total assets	\$	4,988,973	\$	7,066,749
Liabilities and Fund Equity				
Current liabilities:				000 407
Current portion of capital lease payable	\$	294,656	\$	282,137
Accounts payable		77,434		43,758
Due to County		411,269		34,834
Accrued payroll and related benefits		141,133		119,962
Vacation leave and related benefits		222,145		217,815
Due to third party payors		22,738		34,090
Patient funds		18,023		33,223
		469		469
Other current liabilities		8,928		
Deferred revenue Total current liabilities	<u> </u>	1,196,795		766,288
Long-term liabilities:				
Sick leave and related benefits		249,842		237,006
Capital lease payable, net of current portion		1,902,449		2,197,105
Postemployment health benefits		3,314,482		2,507,293
Total long-term liabilities		5,466,773		4,941,404
Fund equity:		4 462 040		1,200,831
Invested in property and equipment, net of related debt		1,163,949		5,928
Restricted		55,228		
Unrestricted		(2,893,772)	-	152,298
Total fund equity		(1,674,595)	1	1,359,057
Total liabilities and fund equity	\$	4,988,973	\$	7,066,749

Statements of Revenues and Expenses and Fund Equity Years Ended December 31, 2010 and 2009

		2010	-	2009
Operating revenues:	\$	4,895,098	\$	5,690,334
Net patient service revenue	•	24,297		1,626
Other operating revenue Total operating revenues	<u> </u>	4,919,395		5,691,960
Operating expenses:		2 664 027		2,460,470
Nursing services		2,664,027 380,091		354,188
Ancillary services		623,561		604,526
Dietary services		238,853		240,904
Housekeeping		94,155		91,336
Laundry service		411,786		381,092
Maintenance		600,572		685,859
Administrative and fiscal services		2,395,122		2,775,710
Employee benefits		253,990		266,301
New York State tax assessment		342,078		352,837
Depreciation		143,586		110,000
Provision for bad debts Total operating expenses		8,147,821		8,323,223
Loss from operations		(3,228,426)	-	(2,631,263)
Non-operating revenue (expense):		244,614		284,848
Indirect costs and operating transfers from County		244,014		1,561,423
Intergovernmental transfers		3,872		9,435
Investment income		(96,906)		(108,474
Interest expense		43,194		740
Other revenue Total non-operating revenue, net		194,774		1,747,972
Decrease in fund equity		(3,033,652)		(883,291
Fund equity, beginning		1,359,057	_	2,242,348
Fund equity, beginning Fund equity, ending	\$	(1,674,595)	\$	1,359,057

Statements of Cash Flows Years Ended December 31, 2010 and 2009

	2010	2009
Cash flows from operating activities:		
Cash received from patient services	\$ 4,702,186	\$ 4,964,769
Cash payments to suppliers for goods and services	(910,409)	(1,625,637)
Cash payments to employees for services	(5,296,541)	(5,006,228)
Other operating revenue	24,297	1,626
Net cash used in operations	(1,480,467)	(1,665,470)
Cash flows from non-capital financing activities:		
Subsidy transfers from County		980
		1,561,423
Intergovernmental transfers	51,345	1,110
Other Net cash provided by non-capital financing activities	51,345	1,563,513
Cash flows from capital and related financing activities:		
Principal payments on capital leases	(282,137)	(270,148)
Interest paid	(96,906)	(108,474)
Purchase of property, plant, and equipment	(31,211)	(38,885)
Net cash used in capital and related financing activities	(410,254)	(417,507)
Cash flows from investing activities:		2.528
Net change in assets whose use is limited	(49,300)	3,528
Investment income	3,872	9,435
Net cash (used in) provided by investing activities	(45,428)	12,963
Net decrease increase in cash and cash equivalents	(1,884,804)	(506,501) 2,554,572
Cash and cash equivalents, beginning of year	2,048,071	\$ 2,048,071
Cash and cash equivalents, end of year	\$ 163,267	φ 2,040,071
Reconciliation of operating loss to net cash used in		
operating activities:	\$ (3,228,426)	\$ (2,631,263)
Loss from operations	\$ (3,228,426)	Ψ (2,001,200)
Adjustments to reconcile loss from operations to net cash used in		
operating activities	342,078	352,837
Depreciation and amortization	143,586	110,000
Bad debts	244,614	283,867
Indirect costs and services from County	2-11,011	
Changes in:	(172,435)	(174,779)
Accounts receivable	(4,468)	(230)
Supplies	(33,206)	6,053
Prepaid items	33,676	(76,045)
Accounts payable	(20,477)	(550,786)
Due to/from third party payors	360,137	(268,452)
Due to/from County	8,928	(1,933)
Deferred revenue	38,337	(12,923)
Accrued items	807,189	1,298,184
Postemployment health benefits	\$ (1,480,467)	\$ (1,665,470)

Notes to Financial Statements December 31, 2010

Note 1. Organization and Summary of Significant Accounting Policies

Reporting entity: Westmount Health Facility (the "Facility") is an 80 bed residential skilled nursing facility located in Queensbury, New York. The Facility is operated as an enterprise fund of the County of Warren, New York (the "County") and is accounted for separately by the County Treasurer.

An enterprise fund is accounted for as an operation that is financed and operated in a manner similar to private business enterprises - where the intent of the governing body is that the costs or expenses, including depreciation, of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges. Indirect costs from other County departments attributable to shared services have been provided for based on allocations from the most recent cost allocation plan for the County.

A summary of the Facility's significant accounting policies follows:

Basis of accounting: As an enterprise fund, the Facility uses the accrual basis of accounting. Revenues are recognized in the period in which they are earned and expenses are recognized in the period incurred. The Facility applies all applicable Government Accounting Standards Board (GASB) pronouncements as well as the following pronouncements issued on or before November 30, 1989, unless those pronouncements conflict or contradict GASB pronouncements: Statements and Interpretations of the Financial Accounting Standards Board, Accounting Principles Board Opinions, Accounting Research Bulletins, and the AICPA Audit and Accounting Guide "Health Care Organizations."

<u>Patient accounts receivable and net patient service revenue</u>: Net patient service revenue is reported at the estimated net realizable amounts from residents, third-party payors and others for services rendered.

Revenue received under third-party reimbursement agreements is subject to audit and retroactive adjustment. Provisions for estimated third-party payor retroactive adjustments under those agreements are provided in the financial statements if they are able to be reasonably estimated. Differences between amounts accrued and interim and final settlements are reported in operations in the year of settlement.

The Facility grants credit to its patients without collateral. Most of the patients are insured under third party payor agreements (see Note 9). Accounts receivable are stated net of an allowance for doubtful accounts. Bad debts are provided for on the allowance method based upon historical experience and management's estimation of collection losses on outstanding receivables. The allowance for doubtful accounts was approximately \$302,000 and \$275,000 at December 31, 2010 and 2009, respectively.

Intergovernmental transfers: Included in non-operating revenue are monies received through the Intergovernmental Transfer Program ("IGT"), which provides Medicaid rate enhancements to all non-state operated, publicly sponsored nursing facilities. The future of the IGT Program is uncertain, pending the ultimate resolution of negotiations between New York State and the federal government. IGT revenues amounted to \$0 and \$1,561,423 for 2010 and 2009, respectively.

Notes to Financial Statements
December 31, 2010

Note 1. Organization and Summary of Significant Accounting Policies, continued

<u>Cash and cash equivalents</u>: For purposes of reporting the statement of cash flows, the Facility includes all cash accounts which are not subject to withdrawal restrictions or penalties as cash on the accompanying balance sheet.

<u>Cash, resident funds</u>: Cash, resident funds represents amounts held in trust for residents of the Facility and is reported as an asset and a liability on the balance sheet.

Assets limited as to use: Assets limited as to use represents amounts held by fiscal agents for the payment of unclaimed interest payable to bond holders and restricted cash gifts held by the County which are restricted as to purpose by the donor.

Supplies: Supplies are stated at the lower of cost (first-in, first-out method) or market.

<u>Property, plant and equipment</u>: Property, plant and equipment are stated at cost or, in the case of gifts, at fair market value at the date of the gift. Depreciation is computed using the straight-line method, based upon the estimated useful lives (from 4 to 40 years) of the specific assets.

<u>Vacation and sick leave</u>: Employees are granted vacation and sick leave in varying amounts. In the event of termination or upon retirement, an employee is entitled to payment for accumulated vacation and sick leave at various rates. Estimated vacation and sick leave have been recorded in the financial statements at the present rates of pay. The liability for sick leave has been reflected as long-term since it is anticipated that none of this obligation will be liquidated within the next fiscal year.

<u>Subsequent events</u>: The Facility has evaluated subsequent events through May 13, 2011, the date on which the financial statements were available to be issued. There were no subsequent events noted that require disclosure.

<u>Use of estimates</u>: The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Actual results could differ from those estimates.

Note 2. Cash

Cash recorded by the Facility is combined with cash recorded by the County in determining amounts covered by Federal Depository Insurance or by collateral held by the County's agent in the County's name. The collateral is monitored monthly by the County. As of December 31, 2010, the County has reported that its deposits were adequately collateralized.

Notes to Financial Statements
December 31, 2010

Note 3. Property, Plant and Equipment, net

Property, plant and equipment is summarized as follows at December 31:

	2010	2009
Land Land improvements Building and improvements Fixed equipment Moveable equipment Construction in progress	\$ 25,100 224,730 2,984,063 4,345,101 582,727 17,150	\$ 25,100 224,730 2,984,063 4,342,574 653,607 3,500
	8,178,871 4,817,816	8,233,574 4,553,501
Less accumulated depreciation	\$ 3,361,055	\$ 3,680,073

Total depreciation expense for the years ended December 31, 2010 and 2009 was \$342,078 and \$352,837, respectively.

Included in property, plant and equipment is property and equipment under capital lease for the cogeneration plant (see Note 4) which consists of the following:

	2010	2009
Land improvement, building and equipment	\$ 3,626,548	\$ 3,626,548
Less: accumulated depreciation	1,243,129	1,024,256
Net property under capital lease	\$ 2,383,419	\$ 2,602,292

Note 4. Capital Lease Payable

In 2005, the Facility entered into a capital lease agreement with a third party for a natural gas fueled co-generation plant as a means of reducing utility costs. The lease calls for principal and interest payments, with interest fixed at 4.35%, payable in 146 monthly installments approximating \$32,000, with lease maturity scheduled for April 2018. The lease also requires the Facility to pay the third party a monthly maintenance and performance fee throughout the term of the lease.

Additionally, the Facility has an agreement with another County agency to provide that agency with all needed electricity, at cost, for an indefinite period of time. The cost of connecting the County agency to the Facility to provide electricity was capitalized at approximately \$168,000, of which the Facility has recorded a receivable for this amount which is being paid over 15 years. The amount due to the Facility at December 31, 2010 and 2009 was \$127,715 and \$129,325, respectively, and is included in the amount due from County on the balance sheet.

Notes to Financial Statements
December 31, 2010

Note 4. Capital Lease Payable, continued

Capital lease activity for 2010 is summarized as follows:

	Balance at 12/31/09	New Borrowings	Repayments	Balance at 12/31/10
Capital lease obligation	\$ 2,479,242	\$ -	\$ 282,137	\$ 2,197,105

Future minimum lease payments as of December 31, 2010 are as follows:

	Total		Interest		Principal
2011	\$ 384,40	3 \$	89,745	\$	294,658
	384,40		76,669		307,734
2012	384,40		63,013		321,390
2013	384,40		48,750		335,653
2014	384.40		33,854		350,549
2015	608,63		21,514		587,121
2016-2017	\$ 2,530,65		333,545	\$	2,197,105
				ALTO THE	

Note 5. Pension Plan

Plan Description: The Facility participates in the New York State and Local Employees' Retirement System and the Public Employees' Group Life Insurance Plan (the "Systems"). These are cost-sharing multiple-employer retirement systems. The Systems provide retirement benefits as well as death and disability benefits. Obligations of employers and employees to contribute and benefits to employees are governed by the New York State Retirement and Social Security Law (NYSRSSL). As set forth in the NYSRSSL, the Comptroller of the State of New York (Comptroller) serves as sole trustee and administrative head of the Systems. The Comptroller shall adopt and may amend rules and regulations for the administration and transaction of the business of the Systems and for the custody and control of their funds. The Systems issue a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to the New York State and Local Retirement Systems, Gov. Alfred E. Smith State Office Building, Albany, NY 12244.

<u>Funding Policy</u>: The Systems are noncontributory except for employees who joined the New York State and Local Employees' Retirement System ("ERS") after July 27, 1976 who contribute 3% of their salary. Under the authority of the NYSRSSL, the Comptroller shall certify annually the rates expressed as proportions of payroll of members, which shall be used in computing the contributions required to be made by employers to the pension accumulation fund.

Notes to Financial Statements December 31, 2010

Note 5. Pension Plan, continued

The Facility is required to contribute at an actuarially determined rate. The required contributions for the current year and the three preceding years were as follows:

	\$	352,721
2010	\$	235,618
2009	\$	259,698
2008	\$	263,833
2007	•	

The Facility's contributions made to the Systems were equal to 100 percent of the contributions required for the year.

Note 6. Post-Retirement Benefits

<u>Plan description</u>: Warren County (the "County") administers the Warren County Retiree Health Insurance Plan (the "Plan") as a single-employer defined benefit Other Postemployment Benefit (OPEB) plan, in which the Facility is a participant. The Plan provides for continuation of medical insurance benefits for certain retirees and their spouses and can be amended by action of the County subject to applicable collective bargaining and employment agreements. The Plan does not issue a stand alone financial report since there are no assets legally segregated for the sole purpose of paying benefits under the Plan. The County issues publicly available County-wide general purpose financial statements that include additional disclosures regarding the County-wide OPEB obligation and funding status. These statements are available from the County treasurer.

Funding policy: The obligation of the plan members, employers and other entities, including the Facility, are established by action of the County pursuant to applicable collective bargaining and employment agreements. The required contribution rates of the employer and the members varies depending on the applicable agreement. The employer currently contributes enough money to the plan to satisfy current obligations on a pay-as-you-go basis. The costs of administering the plan are paid by the County.

Other disclosure information: The projections of benefits are based on the types of benefits provided under the substantive plan at the time of the valuation date and on the pattern of cost-sharing between the employer and plan members. In addition, the projections do not explicitly incorporate the potential effects of legal or contractual funding limitations on the pattern of cost-sharing between the employer and plan members in the future. The actuarial calculations reflect a long-term perspective; actuarial methods and assumptions used include techniques that are designed to reduce short-term volatility in actuarial accrued liabilities and the actuarial value of assets. In the January 1, 2010 actuarial valuation, the projected unit credit actuarial cost method was used. The actuarial assumption included a 4.00% investment rate of return, which is based on the projected long-term earning rate of the assets expected to be available to pay benefits. Since Warren County does not currently segregate funding for these benefits, the appropriate rate is the expected rate of return on the County's general assets.

Notes to Financial Statements December 31, 2010

Note 6. Post-Retirement Benefits, continued

Reconciliation of Net OPEB obligation at January 1, 2010:

The Facility's share of the Net OPEB obligation at January 1, 2010 is calculated as follows:

Net OPEB obligation at the beginning of the year	\$ 2,507,293
	935,337
OPEB expense Net OPEB contributions made during the fiscal year	(128,148)
Net OPEB obligation at the end of the year	\$ 3,314,482
	13.7%
Percentage of expense contributed	

Schedule of employer contributions

The employer contributions made on a pay-as-you-go basis were:

0040	\$128,148
2010	\$166,802
2009	\$187,269
2008	φ101,200

Note 7. Related Party Transactions

The Facility is subsidized by the County and received operating transfers of \$0 and \$981 in 2010 and 2009, respectively. Additionally, the County provides certain financial and operating services for various County operating units, including the Facility. The Facility was the beneficiary of services, primarily indirect, valued at \$244,614 and \$283,867 for the years ended December 31, 2010 and 2009, respectively. The Facility owed the County \$411,269 as of December 31, 2010 for payroll and related items and other services provided. Further, the County (or agencies thereof) owed the Facility \$162,566 at December 31, 2010.

Note 8. Commitments and Contingencies

<u>Unemployment Insurance</u>: The Facility currently uses reimbursement financing rather than pay contributions under the regular experience-rating provision of the New York State Unemployment Insurance Law. Under this method, the Facility is liable to New York State for payments of amounts equal to the benefits paid to its claimants. The Facility's unemployment expense for the years ended December 31, 2010 and 2009 was \$27,918 and \$25,368, respectively. Due to the underlying uncertainties related to future obligations, no accrual has been made for future obligations that might arise under this arrangement.

Workers Compensation Insurance: The Facility participates in a self-insurance plan sponsored by the County for workers' compensation under Local Law No. 3, 1989, pursuant to Article 5 of the Workers' Compensation Law. The plan is open to any eligible municipality or public entity within the geographic boundaries of Warren County for participation. The County, which is responsible for the administration of the plan and its reserves, accounts for this plan in a separate special revenue fund which is included in the County's combined financial statements. Participant contributions are financed on an estimated claim basis with excess contributions transferred to a reserve at the end of the fiscal year. The Facility's workers' compensation

Notes to Financial Statements December 31, 2010

Note 8. Commitments and Contingencies, continued

expense for the years ended December 31, 2010 and 2009 was \$45,729 and \$76,994, respectively.

<u>Self-Insurance</u>: The County has adopted a self-insurance policy which includes the Facility. The County assumes liability for most risks including, but not limited to, personal injury, malpractice, vehicle and general liability. Judgments and claims are recorded when it is probable that an asset has been impaired or a liability has been incurred and the amount of loss can be reasonably estimated. At December 31, 2010 no claims meet the liability criteria. Payment of any liabilities that could result from judgments and claims against the Facility is guaranteed by the County.

Third Party Rate Adjustments: As stated in Note 1, net patient service revenue is reported at estimated net realizable amounts from residents, third-party payors, and others for services rendered and includes estimated retroactive revenue adjustments due to future audits, reviews, and investigations. Retroactive adjustments are considered in the recognition of revenue on an estimated basis in the period the related services are rendered, and such amounts are adjusted in future periods as adjustments become known or as years are no longer subject to such audits, reviews, and investigations.

At December 31, 2010 and 2009, the amount due to third party payors of \$34,090 and \$22,738, respectively is an estimated amount due to Medicare because of an inadvertent and unintentional billing error with regard to Medicare Part B physician billings. The billing error and the resulting Medicare overpayment were self-disclosed by the Facility to its fiscal intermediary. During 2010, \$11,352 was recouped by Medicare. The remaining balance will be repaid through the claims adjustment process during 2011.

Revenue from the Medicare and Medicaid programs accounted for approximately 7% and 71%, respectively, of the Facility's net patient service revenue for the year ended December 31, 2010. Laws and regulations governing the Medicare and Medicaid programs are extremely complex and subject to interpretation. As a result, there is at least a reasonable possibility that recorded estimates will change by a material amount in the near term. The 2010 and 2009 net patient service revenue increased approximately \$8,730 and \$401,000, respectively, as a result of the final settlements in excess of amounts previously estimated.

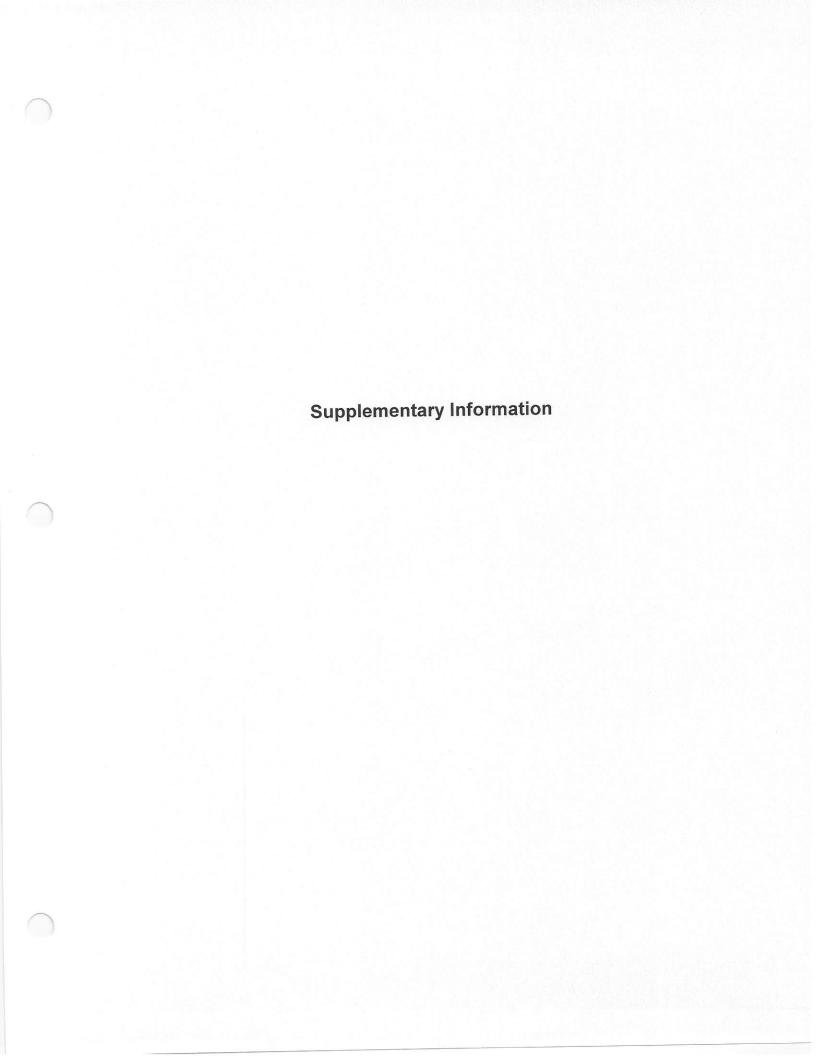
Regulatory: The Facility is subject to compliance with laws and regulations of various governmental agencies. Recently, governmental review of compliance with these laws and regulations has increased, resulting in fines and penalties for noncompliance by individual health care providers. While no outstanding regulatory actions exist at December 31, 2010 for the Facility, compliance with these laws and regulations is subject to future government review, interpretation or actions which are unknown and unasserted at this time.

Notes to Financial Statements December 31, 2010

Note 9. Concentration of Patient Credit Risk

The Facility grants credits without collateral to its patients, most of whom are local residents and are insured under third-party payor agreements. The mix of receivables from patients and third-party payors was as follows at December 31:

2010	2009
	3%
	66%
40%	31%
	5% 55%



Schedule of Operating Expenses Year Ended December 31, 2010 (With Comparative Totals for 2009)

	Salaries	Other	2010 Total	2009 Total
Nursing services:		0.500	¢ 102.027	\$ 190,606
Administration	\$ 190,348	\$ 3,589	\$ 193,937	2,269,864
Routine care	2,300,588	169,502	2,470,090	2,460,470
Total nursing services	2,490,936	173,091	2,664,027	2,400,470
Ancillary services:		72.075	102,884	95,036
Physical therapy	28,909	73,975	31,173	23,422
Occupational therapy		31,173	5,720	5,294
Speech therapy		5,720		56,741
Recreational therapy activities	68,566	2,439	71,005	42,319
Social services	33,273	2,067	35,340	
Dental services	-	20,500	20,500	20,500
Medical records			<u>-</u>	-
Medical director and physicians	17,229	43,488	60,717	60,283
Pharmacy	-	52,752	52,752	50,593
Total ancillary services	147,977	232,114	380,091	354,188
General services:				004.500
Dietary	391,763	231,798	623,561	604,526
Housekeeping	222,621	16,232	238,853	240,904
Laundry service	85,013	9,142	94,155	91,336
Maintenance	164,426	247,360	411,786	381,092
Total general services	863,823	504,532	1,368,355	1,317,858
Administrative and fiscal services:				200 000
Administrative and business office	253,137	79,013	332,150	380,609
Insurance		23,808	23,808	21,383
Indirect cost allocation		244,614	244,614	283,867
Total administrative and fiscal services	253,137	347,435	600,572	685,859
Employee Benefits	<u>-</u>	2,395,122	2,395,122	2,775,710
Assessment		253,990	253,990	266,301
Depreciation		342,078	342,078	352,837
Provision for bad debts		143,586	143,586	110,000
Total operating expenses	\$ 3,755,873	\$ 4,391,948	\$ 8,147,821	\$ 8,323,223